

EXHIBIT A

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U.S. BANKRUPTCY COURT

EASTERN DISTRICT OF NEW YORK (BROOKLYN)

BANKRUPTCY PETITION #: 1-19-43558-cee
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November 4, 2019
10:57 a.m.

26 Court Street
Brooklyn, New York

EXAMINATION OF VLADIMIR BINKEVICH, the
Debtor in the above-entitled action, held at
the above date, time and place, pursuant to
Order, taken before Olga Raptis, a Reporter
and Notary Public of the State of New York.

A P P E A R A N C E S:

WINDELS MARX LANE & MITTENDORF, LLP

Trustee

156 West 56th Street

New York, New York 10019

BY: ALAN NISSELSO, ESQ.

LAW OFFICES OF RACHEL BLUMENFELD

Attorney for Creditors

26 Court Street

Suite 2220

Brooklyn, New York 11242

BY: RACHEL BLUMENFELD, ESQ.

LAW OFFICES OF ALLA KACHAN

Attorneys for Debtor

3099 Coney Island Avenue

3rd Floor

Brooklyn, New York 11235

BY: ALLA KACHAN, ESQ.

ALSO PRESENT:

VIKTOR GUBENKO

GARY GORBAKOVSKY (via phone)

V L A D I M I R B I N K E V I C H ,
the witness herein, having been
first duly sworn by a Notary Public
of the State of New York, was
examined and testified as follows:

BY THE REPORTER:

Q. Please state your name for the
record.

A. Vladimir Binkevich.

Q. Please state your address for the
record.

A. 428 Ovington Avenue, Apartment 3A,
Brooklyn, New York 11209.

MS. BLUMENFELD: Are we
agreed that all objections, except
to the form of question, can be
reserved to time of trial, if there
is a trial on this?

MS. KACHAN: I would like to
put them on the record for them to
be known.

MS. BLUMENFELD: And then he
will answer the question?

MS. KACHAN: Unless

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something's extraordinary, yes.

MS. BLUMENFELD: Unless it's attorney/client privilege, I think that he has to answer the questions.

MS. KACHAN: Rachel, like I said, I'll put it on the record and we'll go on from there.

MS. BLUMENFELD: Good morning.

We met before. My name is Rachel Blumenfeld. As you know, I represent three creditors: Victor Gubenko, Edward Gorbakovsky and Gary Gorbakovsky.

THE WITNESS: Yes, I do.

MS. BLUMENFELD: I'm going to ask you some questions.

First of all, I would like to know, are you on any medication that would prohibit you from being able to testify honestly today?

THE WITNESS: I don't know which medications prohibit.

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Yes, I do take some medication regarding blood pressure, regarding beta blockers, but I don't know.

What do you mean by prevent me to being here?

MS. BLUMENFELD: No, prevent you from answering. Prevent you from answering honestly or --

THE WITNESS: No, no, no.

MS. KACHAN: If anything affects your cognitive ability.

THE WITNESS: No.

MS. BLUMENFELD: Nothing like that, okay.

Are you fluent in English?

THE WITNESS: I hope so.

MS. BLUMENFELD: If there is any question that I ask that you don't understand, it's very important that you ask me to rephrase it or just to ask it again. I do not want you answering any questions that you don't

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understand.

Okay?

THE WITNESS: Yes.

MS. BLUMENFELD: Have you
ever been deposed before?

THE WITNESS: No.

MS. BLUMENFELD: I'm going
to go over a few ground rules here.

First of all, she is
recording everything. So all the
answers have to be audible. So yes
or no, as you've been doing, are
the answers. You cannot shake or
nod your head.

Okay?

THE WITNESS: Yes.

MS. BLUMENFELD: If you need
to use the bathroom or talk to your
lawyer, you can ask for a break.

If there's a question that's
pending during that time, I would
just ask that you first answer the
question before then.

Okay?

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THE WITNESS: Yes.

EXAMINATION BY

MS. BLUMENFELD:

Q. Did you go to college?

A. Yes.

Q. Where did you go?

A. In Ukraine.

Q. Did you graduate?

A. Yes, I did.

Q. What degree do you have?

A. Master's Degree in Computer
Science.

Q. Did you go to any graduate school?

A. There is different system of
education in Ukraine, so I did not need to.
We have five years college in our university
so after graduating five years college, we
get a Master's Degree.

Q. Do you have any education in the
United States or was all of the education in
the Ukraine?

A. Some training or some training --
yes, I do have.

Q. Some training in the United States?

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A. Yes. But it's two, three days. I don't know if you need information about that.

Q. No, that's fine.

When did you start working? Did you start working in Ukraine or in the United States?

A. Ukraine, of course.

Q. How long ago was that?

A. I start working in Ukraine in 1978 when I graduated my college and I worked until 1993 when I came to United States.

Q. What was your title when you were working in the Ukraine from 1978 till 1993?

A. Programmer analyst.

Q. When you came to the United States, when was that? What year was that?

A. It was 1993.

Q. Did you start working right away?

A. No. I started in 1994.

Q. What did you do?

A. I became programmer analyst.

Q. Where did you work in 1994?

A. The name of the company was Reinhab

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(phonetic). It was IT subsidiary of Japanese shipping company.

Q. How long did you work there?

A. I work over there two years. Then I make a break. I went as AVP to Citibank from 1996 to 1997. Then at 1997, I start to work for Japanese company Mitsui, two subsidiaries for IT. Mitsui MOL IT America and MOL IT Asia. I used to work for MOL IT America starting 1996 until 2016.

Q. So just to be clear here, you had said that you had worked for Citibank between '96 and '97?

A. Correct, one year.

Q. And then '96, it had overlapped this other job?

A. No, no. I used to work for Reinhab '94 to '96. To Citibank from '96 to '97. I was wrong. In '97, I start to work IT America.

Q. Until 2016, correct?

A. 2016, yes.

Q. What was your title there?

A. Last title was Assistant Project

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Leader.

Q. And what was your compensation when you left there?

A. One week for a year, so twenty weeks. I don't remember the number, but it was twenty weeks' salary.

MS. KACHAN: I think she's asking what was your salary at the time.

A. Oh, 120K.

Q. Were you entitled to any bonuses there?

A. Yes, I was.

Q. What were your bonuses?

A. Between 5 and 7K yearly bonus.

Q. And then what happened in 2016 when you left?

A. It was in newspapers. Three major Japanese company, MOL, NYK and K Lines decided to join their computer departments and instead of three IT companies, they needed only one. And not with my luck, not our IT company was taken to the joined company and I was laid off.

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Q. How long were you laid off for?

A. One and a half months.

Q. Then where did you go?

A. After this.

Q. Yes.

A. I found another job. The company name was NPD. It was in Fort Washington in Long Island and my title over there was consultant.

Q. And what was your compensation for the year?

A. It was hourly compensation because I was consultant. It was -- originally for first year it was 55 per hour and then it became 61 after one year.

Q. When were you there, for how long?

A. I was there from February 1917 until --

MR. NISSELSON: You mean

2017?

THE WITNESS: Yes. I'm so sorry. I'm so sorry.

A. I was there from February 2017 until June 2018.

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Q. And where did you go from there?

A. From there I got another job.

Q. When did you get the other job?

A. I started June 2016 -- 2018.

Q. Where was that?

A. Location or name.

Q. The name.

A. The name was Consulting Company
Randstan, R-A-N-D-S-T-A-N, as a consultant.

Q. As a consultant?

A. Yes.

Q. What was your compensation there?

A. It was \$64.18 per hour.

Q. Were you entitled to any bonuses?

A. No.

Q. Are you still there right now?

A. No. I was converted to full-time
employee because --

Q. At the same place?

A. No, no, no. The client of Randstan
was CVS and I was converted to full-time
employee in CVS.

Q. When was that?

A. I think March 2019.

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Q. How much are you getting paid now?

A. 122K.

Q. Do you have any bonuses?

A. I supposed to. Based on my title which is IT Advisor, I'm eligible for bonus of 12.5 percent of annual salary but it depends on performance of the company. So there are two percentages here, 12.5 -- this is the stable percent and company performance is variable, depends of the company performance.

MS. KACHAN: Have you gotten any?

THE WITNESS: No.

MS. BLUMENFELD: What was the question?

MS. KACHAN: I asked if he's actually gotten any bonuses.

THE WITNESS: No.

Q. You just started working there in March of 2019?

A. Correct.

Q. So I would assume that the bonus, if you get any, would probably be coming in

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December; is that correct?

A. I think is going to be in April when financial -- let me say this way. I did not go through the procedure of review in the company of getting any bonuses in the company so I cannot predict when it is supposed to be paid and how it's supposed to be paid and is it a lump sum or during some period of time. I am not able to answer.

Q. They have not told you; is that correct?

A. I did not ask them.

Q. Do they contribute to any 401(k) for you?

A. Actually, I am eligible, but I did not ask. I'm not participating right now in contribute. They contribute in 401(k) only in case when I am contribute in some money from my salary, correct.

Q. Right.

A. I did not fill application to contribute any amount of my salary to 401(k).

Q. Is there any reason that you did not fill that out?

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A. I predict some expenses due to this process.

Q. Are you currently married?

A. I am in separation.

Q. Where does your wife live?

A. My wife live in the same apartment as I do.

Q. When did you separate from her?

A. Actually, our relationship was broken a few years ago, but originally we -- I mean right now we in separation.

Q. How many bedrooms do you have in your apartment?

A. Four.

Q. You are in one bedroom and she occupies another bedroom?

A. Yes.

Q. Why has one of you not moved out?

A. Because we don't see -- I mean we have big apartment. It allows us to be in separate room and to not have any family relation.

Q. If you can estimate when you separated, a year, what year would you say

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that was?

MS. KACHAN: I don't believe
that's what he said.

He didn't say --

MS. BLUMENFELD: He said it
broke down a few ago.

MS. KACHAN: A few years.

MS. BLUMENFELD: That's what
I'm asking.

My question is what year
would you say --

A. Listen, when you say separation,
you mean our actual relationship or paper
relationship?

Q. Actual relationship.

A. 2016, I would say.

Q. 2016 is when your relationship
broke down?

A. Yes.

Q. Do you share any accounts with her?

A. No. We have separate accounts. We
have separate households. Your client knows
I can cook, I can clean apartment and I'm
pretty good to stay alone.

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2 Q. Have you ever shared a bank
3 account?

4 A. Yes, we did.

5 Q. When is the last time you shared a
6 bank account?

7 A. I think 2015 or 2016. I am not
8 sure. Then we closed all shared accounts and
9 we closed all shared credit cards. And since
10 that moment we have our own separate accounts
11 and separate credit cards.

12 Q. Have you, because of the
13 separation, did you give her any money from
14 the accounts? Did she take the money, the
15 balance from the account or did you keep the
16 money or did you split it? How did that
17 work?

18 A. Neither myself has access to her
19 account and she does not have access to my
20 account.

21 MS. KACHAN: That's not what
22 she asked.

23 Q. I'm talking about when you had
24 joint accounts and you said you closed it,
25 what happened to the money in that account?

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A. I don't remember. I mean, it was 2015, 2015 or '16 and I do not remember. Since then, I moved my money -- I mean have direct deposit to separate account.

Q. Do you speak with your wife?

A. Very, very restricted amount of time and subjects.

Q. Do you have an accountant?

A. Which prepare my income tax?

Q. Yes.

A. Yes, I do.

Q. Is it the same accountant that your wife has?

A. Actually, they are in the same office. Before I had -- they are sister and brother, two accountants. Most likely I had deal with brother. I don't know who she deal with. And right now, because most likely accountant moved to another spot because he is a lawyer, I deal with the sister -- I mean with the lady accountant. We file separate income taxes.

Q. When you filed your Chapter 11 case in 2017, you were separated from your wife;

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however, her income was included in your
bankruptcy paperwork.

A. It was a request, I think.

What do you mean --

MS. KACHAN: They were still
married.

MS. BLUMENFELD: They're
still married. They are still
currently married.

MS. KACHAN: They're still
married.

Q. Why is her income not listed now if
you were separated then and you're separated
now and her income was listed in the Chapter
11 case, but her income is not listed in the
current case?

A. Because right now we have
absolutely separate households. I don't know
even know her salary right now and as well as
she does not know mine.

And I said, we have completely
separate accounts, completely separate
households and I do not see any reason to
show her income tax which I am not have any

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relation to any official legal documents.

Q. I understand, but my question is why was she included in the Chapter 11?

I understand if you're separated that she shouldn't be included. That makes a lot of sense.

But my question is then why was she included in your Chapter 11 and why is she not included in your Chapter 7?

MS. KACHAN: I don't think that's a question for him.

MS. BLUMENFELD: It is a question for him.

MS. KACHAN: I don't think that's a question that he understands.

To your understanding at the time, they were still married --

Q. Do you understand my question?

A. Listen, I don't know the rules --

Q. No, no, no.

Do you understand the question I asked you? Do you understand the question?

A. Yes, I understand your question.

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And correct me if I understand it
incorrectly, why it was mentioned to
Chapter 7 --

MS. KACHAN: 11.

A. -- 11 and was not --

Q. Mentioned in the Chapter 7.

MS. KACHAN: They're both
mentioned. It's about what we
understood to be the situation at
the time and it's what we
understand now document-wise to be
the situation at this time.

Correct?

THE WITNESS: Yes.

Q. Is she still working at the same
place?

A. I think so, yes. At least, I don't
know anything about she changed employer.

Q. Where do you live right now?

A. You need address?

Q. Yes.

A. 428 Ovington Avenue, Apartment 3A,
Brooklyn, New York 11209.

Q. And who owns that property?

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A. Right now the deed, I think, is on both of us.

Q. How long has the deed been in both your names? You keep looking at your lawyer but these are questions for you.

A. I understand, but it's nothing prohibited to --

Q. No, no, no. I know. I understand why you're looking at her but I'm just saying that these are questions -- if you don't know, you can say that you don't know.

Did you have an attorney transfer the deed?

A. Okay. The full story is at some point for real estate planning purposes because my condition was not good, health condition, I decided to leave my apartment for my kids to give them at least anything. And then -- and I was actually thinking about early retirement. And because of this complex of reason, we transferred the ownership of apartment to the trust.

And then situation became that I figured out that situation does not allow me

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to go to early retirement. I have to work as much as I can and deed was transferred back to me and my wife because we bought this apartment together. At the moment of buying apartment, which was in 2000, nothing was predict the situation about separation and divorce and et cetera.

Q. What year did you buy the property?

A. 2000.

Q. Whose name was it in when you bought it?

A. Both of our names.

Q. What year was it transferred out of your name?

A. It was 2017 --

THE WITNESS: 2017, I think?

MS. KACHAN: '16.

A. 2016. 2016 or 2017.

Q. And what year was it transferred back?

THE WITNESS: This year, right?

MS. KACHAN: (No verbal response.)

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A. This year.

Q. This year, meaning 2019?

A. Correct.

Q. Whose name was it transferred back into?

A. Both of us. And also we thought that since it asset, it should be fair to return it back to my assets because we have some obligation to our creditors.

Q. How are you going to comply with your obligation to the creditors by transferring the property back to both your names?

A. Because if it was not on my name --

MS. KACHAN: Wait.

MS. BLUMENFELD: Let him answer.

MS. KACHAN: Rachel, no. I think that that is an unfair question.

I'm going to --

MS. BLUMENFELD: He's the one who brought it up.

MS. KACHAN: And I'm going

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to --

MS. BLUMENFELD: He brought it up. He said he did it for creditors. I'm asking him why.

MS. KACHAN: No, you're asking him how.

MS. BLUMENFELD: No, I said why.

MS. KACHAN: How.

Mr. Nisselson knows how. We're going to settle with the trustee --

MS. BLUMENFELD: That's not my question.

MS. KACHAN: -- and that money is going to creditors and you know that very well. And you know that he does not understand that concept, not as well as you and I do.

MS. BLUMENFELD: This is a very intelligent man.

MS. KACHAN: Right, but he's not a lawyer. He's not a lawyer

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and even lawyers don't know the way that it works in Chapter 7, the way it gets interest in the estate, and the way --

Q. Did somebody advise you to transfer the property out of your name into --

A. It was my decision.

Q. Did your wife agree with your decision?

A. Yes.

Q. Did you have a lawyer write up the paperwork to transfer the documents and help you with that?

A. Yes.

Q. Who?

A. I think, I think it's Victoria Beris (phonetic).

Q. And who helped you transfer the property back?

A. The same lawyer.

Q. When you transferred the property out of your names, you were separated at the time?

A. Yes.

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2 Q. Your decision to transfer it back
3 to both your names -- did you give your wife
4 any compensation at all for transferring it
5 out of her name?

6 A. No.

7 Q. Why did you -- if you transferred
8 it out of your name for health reasons, why
9 didn't you transfer it into your wife's name?

10 A. Because originally it was in our
11 both names.

12 Listen, if it was originally in our
13 both names, how can I exclude her from to be
14 a property owner.

15 Q. Well, if you're saying it's health
16 reasons and you thought that you were going
17 to have a health problem --

18 A. Listen, it's not only health
19 reason. Let's be honest. I said combination
20 of the reason. I thought about my health
21 condition, I thought about my early
22 retirement, I thought about the situation
23 with my daughter, she did not have some high
24 education, et cetera, et cetera. It was
25 compensation -- it was several reasons.

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That's why I decided this would be better,
but then I decided I cannot afford it and we
transferred it back to ourselves.

Q. How old are you?

A. In December, 63. I will be 63.

Q. What are your health issues?

A. You want all my diagnoses?

Q. Yes.

You said that you have serious
health issues that are causing you to
transfer property out of your name --

A. Listen, I said I have some health
issues.

Q. I'm asking what your health issues
are.

A. I have high blood pressure, I have
high cholesterol, I have high triglycerides,
I have multiple stones in my kidney, I have
kind of arthritis.

Q. Have you been hospitalized at all
for any of this in the past five years?

A. Yes.

Q. How many times?

A. About five year -- also I have some

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2 bigger issue which was one year ago and I had
3 six operations on my kidney stone. But I'm
4 not sure which year. I was not ready for
5 this question.

6 MS. KACHAN: Just
7 approximately how many times were
8 you hospitalized?

9 THE WITNESS: No, I said six
10 times for kidney problem.

11 Q. In the last five years?

12 A. No, not in five years. I didn't
13 say so. I don't remember how many times in
14 five years. In 2018, I was hospitalized for
15 vertigo.

16 Q. Vertigo?

17 A. Yes.

18 Q. Did any of your doctors say that
19 any of these conditions are life threatening?

20 A. I did not ask this question.

21 Q. You don't always have to ask; a lot
22 of times they tell you.

23 A. Not exactly like you ask, no.

24 Q. And how many children do you have?

25 A. Two.

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Q. How old are they?

A. 39 and 33.

Q. Where do they live?

A. My son lives in Staten Island. My daughter lives in Manhattan.

Q. Do they work?

A. Yes, they do.

Q. What do they do?

A. They are -- I mean, I don't know their titles.

Q. That's fine.

What do they do?

A. They are working in financial area.

Q. About much do they make?

A. First of all, I don't know. And second of all, sorry to say, should I say it now to you -- sorry to say -- how is it related.

Q. It relates because you said one of the reason that you transferred the property back is because you want to help your daughter financially. So that's why I'm asking.

A. At that moment, at that moment she

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2 didn't have higher degree.

3 Q. Since then has she gotten a higher
4 degree?

5 A. Yes, in this year.

6 Q. What degree does she have now?

7 A. MBA.

8 Q. Have you owned any other property
9 aside from this property?

10 A. Yes, I do.

11 Q. Where?

12 A. In Philadelphia with your client.

13 Q. And when did you buy that property?

14 A. I mean -- let's say it was a long
15 time ago.

16 Q. Ten years, twenty years, thirty
17 years?

18 MR. GUBENKO: More than ten
19 years.

20 Q. Have you owned any other
21 properties?

22 A. Except those.

23 Q. Yes.

24 A. No.

25 Q. Any properties outside of the

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United States and the Ukraine?

A. No.

Q. How many mortgages do you have on your property?

A. On my personal.

Q. Yes.

A. I have mortgages and I have credit line which I took for business.

Q. How much -- what is the mortgage balance approximately right now?

A. I think 15K.

Q. One-five, 15,000?

A. 15,000, yes.

Q. Is that the total of the mortgage balance?

A. Mortgage balance, yes, only mortgage. But credit line --

Q. How much is the credit line?

A. More than \$400,000.

Q. When was that taken out?

A. I don't remember exactly year. Most likely in 2000 -- I don't remember. Sorry.

Q. And what did you use the money for?

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A. I invested it into the business.

Q. Which business?

A. Food distribution business.

Q. Which one?

A. If you're asking me about the exact name of the company I do not remember. It can be figured out. But since we all the time are looking, this business, distribution business is one business irrelevant how many companies are there. So I don't remember. It depends from what company we're supposed to make current payments.

Q. How did it work? You took \$400,000 at once and then you put the money into your bank and then you distributed it to the business or was it one check or -- please explain how the 400,000 line of credit worked? Did you take it out over a period of time?

A. First of all, you are asking -- 400,000 is remaining on the credit line. Originally it was 555,000. And then depends on -- from there we took it from the Wells Fargo. We got the check from Wells Fargo

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checkbook and depends on the need we just issue a check to one of the businesses and deposit into the account of the business.

Q. So it was one check?

A. No.

Q. How many checks?

A. I don't remember.

Q. Do you remember over what period of time the checks were written out?

A. No, I don't remember.

Q. Is there any way for you to be able to find that out?

A. I think we sent to trustee the account statements for the Wells Fargo.

Q. Did you transfer the property title to your home after you stopped paying creditors?

A. Transfer.

Q. Transferred from your name and your wife's name to the trust? Did you transfer --

A. I don't remember.

And when you say stopping pay, did your client inform you that for one year, to avoid any conflict with him, I pay his

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interest by my own money, from my personal account? Do you know this.

Q. Did you borrow the money from him personally?

MS. KACHAN: Objection.

We're going to stop this.

MS. BLUMENFELD: He is bringing it up --

MS. KACHAN: He brought it up. He has the right to, but you're not going to continue this.

MS. BLUMENFELD: So he has the right to but I do not have that right? Why are we not continuing this?

MS. KACHAN: If you want to continue this discussion, then it's not a deposition anymore.

MS. BLUMENFELD: Why is it not a deposition?

MS. KACHAN: That's more of a --

MS. BLUMENFELD: He brought it up -- that's more of a what?

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MS. KACHAN: He mentioned to you that he actually made payments because you're trying to trap him with a question.

As you mentioned --

MS. BLUMENFELD: I'm not trying to trap him with a question.

MS. KACHAN: -- he's smart, so he exactly answered you the way it should have been answered.

He told you that not only did he not stop paying, he was actually paying your client for another year when the business was already unable to pay anything on its own.

So, obviously, you don't want to hear this so you want to rebut it but he said this to you in response to you asking. So you tried to ask if he made this transfer. He told you why this transfer was made, he told you way back when the transfer was made,

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way before the bankruptcy, way before anything else. And he told you that he was actually still not only paying creditors, he was paying your client who is, obviously, a creditor.

MS. BLUMENFELD: Alla, you are really interfering with this deposition.

MS. KACHAN: Well, I'm not going to allow you to --

MS. BLUMENFELD: He didn't say --

MS. KACHAN: -- do what you're doing.

MS. BLUMENFELD: -- and you can correct if I'm wrong, we can go back to the transcript, I asked him if he remembers when he stopped paying creditors and he said he doesn't remember.

MS. KACHAN: He said that he doesn't remember. But then he said to you --

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MS. BLUMENFELD: But you
just now said --

MS. KACHAN: -- that he
continued paying. I remember when
the initial transfer was because I
did it in my intake so I know when
he initially transferred. I also
know when he filed and when the
issues began.

MS. BLUMENFELD: You are
really -- you are convoluting --

MS. KACHAN: I am not
answering for him, but I'm telling
you what he just said to you in
response to your --

MS. BLUMENFELD: You're
convoluting the testimony.

MS. KACHAN: -- question.

He answered in a way you
didn't want to hear it and in a way
you didn't want to have it on the
record.

MS. BLUMENFELD: Off the
record for one minute.

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Off the record.

(Whereupon, a discussion was
held off the record.)

BY MS. BLUMENFELD:

Q. Was it a personal loan that my
client gave you or a business loan?

A. Okay. The money he gave to me was
issued to the company and was deposited to
the company.

Q. So the check that he wrote out was
written to the company?

A. Correct.

Q. And you personally guaranteed it?

A. Yes.

Q. Did you pay that back at any point
in time from your personal account or was it
paid back from the business account?

A. When you say paid back, what do you
mean.

Q. You said --

MS. KACHAN: Make a payment.

MS. BLUMENFELD: Alla,
please.

MS. KACHAN: Well, you

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explain it or I'll explain it.

MS. BLUMENFELD: I am happy
to explain it --

MS. KACHAN: So specify.

MS. BLUMENFELD: -- if you
give me a minute and stop jumping
in.

MS. KACHAN: Specify.

MS. BLUMENFELD: I am going
to if you give me a minute, please.

Q. The payments -- did you repay him
at all and, by the way, I have three clients
we're talking about here. I'm assuming that
you're only talking about the client that is
sitting with me here today, is that correct,
Victor Gubenko? That's the one that you're
talking about; is that correct?

A. Okay, let's separate questions.

Q. Yes.

A. You asked me did the company which
we borrow money for paid to all creditors
their dividends.

MS. KACHAN: At any time.

A. At any time, yes.

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MS. KACHAN: Not dividends
paid back at any time --

MS. BLUMENFELD: Alla,
please.

A. What do you mean? What is your
question?

MS. BLUMENFELD: Alla, stop
talking.

MS. KACHAN: Perhaps you
should then because I'm not going
to allow him to get misled by
questions. So either you specify
your questions or I will.

MS. BLUMENFELD: Alla, he's
allowed to talk and finish what
he's saying.

MS. KACHAN: You didn't
specify. He's sitting there trying
to separate it out for you --

MS. BLUMENFELD: Alla,
please stop talking --

MS. KACHAN: -- and you did
not.

MS. BLUMENFELD: -- and

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interfering with the deposition.
You came an hour late and now all
you're doing is jumping in and --

MS. KACHAN: And I will
continue jumping in if you don't do
it properly.

MS. BLUMENFELD: I think
maybe we should get the judge on
the phone then.

MS. KACHAN: I don't care.
Do what you're supposed to do.

MS. BLUMENFELD: I am doing
what I'm supposed to do, but --

MS. KACHAN: No. You're not
specifying.

MS. BLUMENFELD: -- you have
to stop jumping in.

MS. KACHAN: You're not
specifying.

MS. BLUMENFELD: We had an
agreement before that there would
be an interruption only if it's a
question of attorney/client
privilege.

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MS. KACHAN: And I told you unless I have an issue with it. And I have an issue with it because you're not specifying.

MS. BLUMENFELD: You have an issue with everything he's testifying about.

MS. KACHAN: Not really.

MS. BLUMENFELD: You're not letting him speak without interrupting.

MS. KACHAN: Why don't you specify the period of time you're talking about? That's all I'm saying to you.

MS. BLUMENFELD: My question is not the period of time.

MS. KACHAN: You asked at any time -- perhaps you should specify.

BY MS. BLUMENFELD:

Q. Sir?

A. Yes, I'm listening.

Q. You are saying that my client was

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repaid some of the money that he paid the company that he gave to you; is that correct?

A. Okay, let's separate the question because your question right now is absolutely not clear.

Q. Please go ahead.

A. The condition of financial agreement was we have to pay 12 percent to the creditors. We did it at least three or four times to each and every creditors which you are representing now. Is it clear.

Q. No, I'm not clear.

So, you're saying that you paid back 12 percent to each creditor -- to the three creditors I'm representing?

A. From the company. And last time the company was not able to pay this money to particular this reason irregardless [sic] of the two others, I paid from my personal account and he can confirm it to you.

Q. When was that paid?

A. This, I don't remember. Probably he will answer you this question.

Q. Do you know how much you paid him

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from your personal account?

A. 36,000, I think.

Q. How many times did you pay him from your personal account?

A. One time, last time. Before all times I paid to him and to other creditors from the company account.

Q. So, generally, how did it work when you were repaying them? You were the one who wrote it from the company account and you wrote a check to them and paid them?

A. When you say repay, it's not clear definition.

Q. Okay.

A. Let me.

We had agreement, official agreement, that in one year we are supposed to pay them dividends or whatever you call it. I do not know what do you say when say repaid. I don't know. But the amount of 12 percent of the initial payment -- I mean initial investment was paid to them after one year when agreement expired. It was paid to them and we create new agreement for next

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year.

Now, is it clear? Because repay, it's not right definition.

Q. So what you're talking about is a promissory note; is that correct?

A. Correct.

Q. How many promissory notes do you have with Mr. Gubenko?

MS. KACHAN: Well --

MS. BLUMENFELD: He's supposed to answer.

Do not answer for him.

A. We have it each and every year. I think with Mr. Victor Gubenko two promissory notes, one for 200,000 and one for 100,000. Each and every those promissory notes was paid in time unless -- I mean it was paid on time when it supposed to be, and last time I paid this.

Q. So just to clarify it was paid on time until it wasn't paid?

A. Yes.

Q. Do you agree that you personally guaranteed and owe the money to him?

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A. It was, yes. But listen, I emphasize each check which he wrote was issued not to my name -- even if I guaranteed -- it was issued to the company account and was deposited.

Q. Which company account was it issued to?

A. Most likely, it's Euro Import, Inc.

Q. And the money that you borrowed --

MR. NISSELSO: Can I?

MS. BLUMENFELD: Yes, please.

MR. NISSELSO: Is it Euro Import Distribution or Euro Import Bel?

THE WITNESS: Euro Import, Inc.

MR. NISSELSO: Inc.?

THE WITNESS: Yes.

MS. KACHAN: That's a different one.

THE WITNESS: There are four different companies. Euro Import, Inc.

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MS. KACHAN: Euro Import,
Inc.

MR. NISSELSO: I don't have
that.

THE WITNESS: I mean you
definitely -- I mean sorry to say.

MR. NISSELSO: I have
Distribution.

THE WITNESS: Distributions.
Euro Import, Euro Import
Distributions, Euro Import Star,
Euro Import Bel. Most likely --
first of all -- let me answer this
way --

MS. BLUMENFELD: Here if you
want to see these (handing).

A. Rachel, let me say this way. Those
checks was deposited to the company which
those checks was issued to.

MS. BLUMENFELD: Just wait
for one second.

(Whereupon, a brief
discussion was held off the record
and a brief recess was taken.)

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MS. BLUMENFELD: We are back
on the record.

BY MS. BLUMENFELD:

Q. Mr. Binkevich, during the break,
did you speak to anybody?

A. With Victor.

MR. GUBENKO: No.

MS. BLUMENFELD: No.

MR. GUBENKO: No.

MS. BLUMENFELD: You did not
speak.

MR. GUBENKO: I did not
speak.

THE WITNESS: I mean in
toilet, I said --

MR. GUBENKO: Sorry. I
thought you were talking about
different --

MS. BLUMENFELD: That, I
don't need to know.

We're going to mark now into
Exhibit 1 -- I'm going to give you
guys a copy -- this is your
Voluntary Petition.

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(Voluntary Petition was
marked as Exhibit 1, for
identification, as of this
date.)

Q. If you could please turn to the
signature page, it's Page 6 on the bottom.

A. Okay.

Q. Did you sign that petition?

A. Yes.

Q. Did you read everything before you
signed it?

A. Yes.

MS. BLUMENFELD: Mark this,
please.

(Amendment was marked as
Exhibit 2, for
identification, as of this
date.)

Q. Now, I'm going to hand you Exhibit
2 which is your Amendment to the Petition
(handing).

Along with your amendment, do you
believe that now everything is truthful and
accurate?

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A. (Witness peruses Exhibit 2.)

I need to read it again. I cannot say yes or no because I don't -- okay.

Q. Do you recall why you amended your paperwork?

A. Ah, okay. Yes, because -- listen, we already had this discussion. The amount of my checking account was not correct. To prove this, I sent to the trustee statement from the bank on this account because originally it was mentioned 45-something-thousand and originally it was -- yes, it was mentioned 45,000 and actually it was 26,000.

Q. So with this amendment, to the best of your knowledge, do you think that everything is truthful and accurate on the paperwork?

A. As I said already, if it's only this one then this is fine. But to answer you yes or no, do I need read it probably to see if it's the only one.

Q. Did you read the paperwork before it was filed?

A. Yes. You asked me question: Did

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you read the paper before you sign it? I answered yes.

Q. And I'm asking with the amendment that you made, with this correction, is it now truthful and accurate? Is everything listed?

A. Yes.

Q. And your attorney is not supposed to be nodding to help you answer the question; you're supposed to be answering it on your own.

A. Did my attorney say any words?

Q. She did not. That's why I just said she nodded the answer and then you answered. So I'm just saying she's not supposed to be prompting you to answer the question.

So as we stand, everything is truthful and accurate, correct?

A. (No verbal response.)

Q. Let's look at your Schedule B, please. So I'm looking at number 17 which is your TD Bank checking account.

A. Okay.

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Q. What is the highest balance that you have had in that account in the last two years?

A. This answer, I'm not able to give to you. You can get this answer when you look in the old TD bank statement which I sent to trustee.

Q. So you give permission for the trustee to provide me with all the bank statements that you gave them?

A. Yes.

Q. But the answer is that you don't know? Is that the answer?

A. I don't remember the highest, yes.

Q. When you filed this paperwork, did you have any other bank accounts?

A. No.

Q. Have you had any other bank accounts in the last two years?

A. Prior to what.

Q. In the last two years.

A. In the last two years from today or prior --

Q. Prior to filing.

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Prior to filing the petition of --

A. Okay, since I remember, as far as I remember, as far as I file bankruptcy regardless of chapter, I was able to have only one account in TD Bank which actually supports this type of accounts. I do not have any other accounts.

Q. Have you had any in the last two years?

MS. KACHAN: He just said from the time he filed any Chapter bankruptcies, so that would be going back to the beginning of the Chapter 11.

Q. That you had no other bank accounts?

A. No.

MS. BLUMENFELD: Mark this.
(Chapter 11 was marked as Exhibit 3, for identification, as of this date.)

Q. Exhibit 3 is your prior bankruptcy filing (handing).

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A. So we can close this.

Q. You can keep it open.

Do you recognize that document?

A. Are you asking me?

Q. Yes.

Do you recognize the document?

A. (Witness peruses Exhibit 3.)

Yes.

Q. Did you sign that? That's your
prior Chapter 11 case.

A. Yes.

Q. If you see in Number 17, you have
two other bank accounts, two Citibank
accounts?

A. Which was closed prior to 2015, I
think.

Q. Your Chapter 11 was filed in 2017
and these are listed on your 2017 filing.

MS. KACHAN: For which proof
of closing of the bank accounts was
provided as requested at the time
of filing.

A. Yes, we closed those.

Q. First of all, I did not ask for any

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proof of closing of any bank accounts and
nothing was provided.

But my question to you is: Did you
have any bank accounts in the last two years?

A. It would be great if you will tell
me not prior two years. It would be much
helpful for me if you say in what year.

Q. Okay. I will make sure to do that
the next time to clarify it.

So why were these accounts closed?

A. Because based on the rule, I allow
to have only one type of account.

Q. That's correct.

A. I follow the rules. All statement
was also provided.

Q. The account that you have open
right now, is that a debtor in possession
account?

A. It was DAP account. Let me answer
this way. It was open as DAP. When the case
was dismissed, it became a regular account.

Q. If you'll see here at Number 19,
you have a list of five -- we're looking now
at the 2019 filing -- you have a list of one,

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two, three, four, five corporations --

A. Okay.

Q. So my question to you is why did you set up so many corporations?

A. Regarding variation, I don't need to answer. I hope you do know the --

Q. I don't know any answers. Please answer it.

A. Bay Ridge Association was open with Mr. Victor Gubenko and Mr. Arcadi Golden -- we were three partners. And for those account business interest required this so many corporations.

Q. Please explain what you mean by business interests.

A. Euro Import area was only buying goods --

Q. I'm just going to interrupt you because there are three Euro Imports. So just explain --

A. Euro Import, Inc. Was area to buying everything. Euro Star, Euro Distributions -- because we have big list of inventory for salesperson, it would be easier

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we split inventory into two parts. And two salespersons go to different areas with different list of inventory. This is Euro Import Distributions and Euro Star. And Euro Import Bel, it was a requirement from the -- this company operate with chocolate factory in Russia and it was requested from supplier to have separate entity to have the order.

Q. The percentages that are listed here, is that the correct percentage of your ownership in each of these?

A. I'm not sure about Euro Star. I need to check my papers.

Q. What do you think your percentage is?

A. Less. It's around 27 or 26.

Q. In the last seven years, have you owned any other corporations aside from the ones that are listed?

A. No.

Q. Have you ever heard of a company called Euro Line?

A. Yes.

Q. Do you have any interest in Euro

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Line?

A. No.

Q. Have any of these corporations that are listed transferred any of your percentages to any other corporation?

A. I think Euro Star. Euro Star was -- I mean Euro Star -- it was created a new entity. And Euro Star owns one-third of those shares.

MR. NISSELSOON: Of what

entity?

A. New entity, Euro -- I think the name of the entity is Euro Line Food or something like this. Euro Line, Euro Line. You call it Euro Line.

Q. So, in other words, the Euro Star was transferred to Euro Line food?

A. No. It's Euro Star is a part of Euro Line which has 30 percent of shares with new entity.

Q. I'm not sure if I understand what -- how that works. If you could, explain it in a little more detail.

A. It was a company --

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Q. Which one was a company?

A. We call it Net Cost, but I don't remember exact name of the company. And it was created new entity Euro Line and into this entity there were two partners, as far as I know. One is Euro Star with 30 percent of shares. And another is Net Cost --

MR. NISSELSO: Net Cost?

THE WITNESS: Net Cost.

A. Full name, Net, space, Cost, space, Market. Maybe it's officially different name. I don't remember. I --

MS. KACHAN: Their street name. That's the name they have on --

A. Yes, their street name. They own Russian supermarket.

MR. NISSELSO: And I'm sorry.

Can I just --

MS. BLUMENFELD: Please, go ahead.

MR. NISSELSO: Net Cost owns two-thirds of Euro Line and

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Euro Star owns one-third of Euro
Line?

THE WITNESS: Absolutely
correct.

Q. Do you have any ownership in any of
these, in Euro Star or in Net Cost Market?

A. I just mentioned to you I have in
Euro Star.

Q. When was it transferred to Net Cost
Market?

A. I don't remember. I think we
provide some of that -- no, we didn't? I
need to figure it out.

MS. BLUMENFELD: If we could
hold this open to find out what the
-- to fill this in when you
remember, please?

If you can let me know any
of the blanks that you don't
remember, if we can please just go
back at a different time so that we
can find out what the dates are.

THE WITNESS: Yes.

(INSERT): _____

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Q. Net Cost Market, do you have any information as far as what their revenue is?

A. No.

Q. Do you have any information as far as Euro Line Food what their revenue is?

A. No.

Q. Do you have any information as far as Euro Star what their revenue is?

A. Euro Star does not operate anymore. It closed at least --

Q. When did it close?

MR. NISSELSON: Rachel, you have a visitor.

MS. BLUMENFELD: Off the record.

(Whereupon, a discussion was held off the record.)

BY MS. BLUMENFELD:

Q. When did it close?

A. I don't remember. We provide the date of close of each of these companies.

Q. When you say you provided -- I'm just going to interrupt for a second -- you did not provide anything to me.

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A. Because you did not ask.

MS. KACHAN: You didn't make a request.

MS. BLUMENFELD: I actually did make a request --

MS. KACHAN: Mr. Nisselson made a request.

MS. BLUMENFELD: I actually made a request at the 341 that anything that's provided to the trustee gets provided to me, and I did not get anything.

So I'm just saying, I don't have any information because nothing was provided to me. It's not the trustees' obligation to have given it to me and I didn't know that anything, as far as documents, were turned over.

A. But on top of my knowledge, you did not request --

Q. At the 341 hearing, I did.

MS. KACHAN: You did not make any requests, not in writing,

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not in e-mail, not in anything.

MR. NISSELSON: Can I give
her everything that was sent to me?

MS. KACHAN: Absolutely.

MS. BLUMENFELD: Off the
record.

(Whereupon, a brief
discussion was held off the record
and a brief recess was taken.)

MS. BLUMENFELD: We are back
on the record.

BY MS. BLUMENFELD:

A. Yes, we are back on the record and
I would like to bring to your attention that
everything which trustee requested in written
form, everything was provided. Since you did
not get it, trustee will share with you all
information.

Q. I appreciate that. Thank you very
much.

So Euro Star is closed?

A. Every company in this is except Bay
Ridge is closed right now and accounts are
closed.

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Q. Do you remember when any of them were closed?

A. Trustee has a list of information.

Q. Is the answer that you don't remember?

A. The answer is I don't remember.

Q. Do you currently have a safe deposit box?

A. No.

Q. Have you ever had a safe deposit box?

A. No.

Q. Do you have interest in 401(k)s?

A. Yes.

Q. In the last two years, have you taken any money out of any of your 401(k)s?

A. Never ever from any account not only two years but in entire life which I withdrew money to those accounts, never ever.

Q. Can you sue anyone? Are you able to sue anyone for any purpose? For a slip and fall, car accident, anything like that?

A. I did not get your question.

Q. Are you able --

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A. I am able as a United States
citizen --

MS. KACHAN: No, no, no.

If something happened and
you didn't sue, do you have the
right to sue?

THE WITNESS: (No verbal
response.)

Q. Do you have any claims against
anyone?

So, for example, you had six
operations?

Do you have a malpractice against
any doctor?

A. No.

Q. Do you have any car accidents or
anything of that sort?

A. No.

Q. How much did you pay your lawyer
for this case?

A. I'm so sorry, I do not want to
answer this question.

Q. You have to answer that question.
It's a requirement to answer that question.

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MS. KACHAN: You can answer.

Q. You can answer the question.

A. I don't remember. I don't remember. I didn't ever pay attention.

Q. Of how much money that you paid your lawyer?

A. Correct.

Q. For this case?

A. I mean exactly numbers; no, I don't remember.

MS. KACHAN: Actually, he didn't pay for this case.

Q. Are you going to pay your attorney for this case?

A. Per her request, yes.

Q. You are going to pay her per her request.

So how much are you going to pay her for this case?

A. Listen, is it not between my lawyer and myself --

Q. It is not. It is not.

Actually, if you look at your paperwork, there is a section here that says

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-- that asks the question in your bankruptcy paperwork, and I'll refer you to the section here that asks have you paid your lawyer, any lawyer for -- within the two years of filing a bankruptcy, have you paid your lawyer, any lawyer for helping filing a bankruptcy.

That is a question that is on the bankruptcy petition and paperwork?

A. I do not remember how much and when I paid to my lawyer.

Q. But you said that you are going to pay in the future?

A. Yes.

Q. Do you have an agreement as to how much you are going to pay?

A. No.

Q. Do you know how much -- is there -- there is no agreement at all as far as how much you're going to pay?

A. No.

Q. Do you have a retainer agreement, a written agreement?

A. Yes, I have retainer agreement.

Q. How much does the retainer

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agreement state?

A. I don't remember.

MS. BLUMENFELD: If I can
get a copy of that retainer
agreement.

MS. KACHAN: First of all,
privilege.

And second of all, actually,
there is no retainer for this case
because he did not pay and did not
promise to pay for any of this
case. And if you have a question
about my compensation on the other
case, that composition was allowed,
that compensation was approved.
That's on the dockets. You're more
than welcome to open up the docket
and see what the Chapter 11 fees
were.

MS. BLUMENFELD: I didn't
open and that was actually a
problem in the other case with your
compensation because you
represented him as well as the Euro

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ones.

MS. KACHAN: So perhaps if you think you have standing, why don't you waste your clients' money and go after it?

With that being said, my compensation was approved by the US Trustees Office. My compensation was signed off on. So, therefore, if you think you have standing go on and raise any objection --

MS. BLUMENFELD: Do you want to be sworn in?

Can you swear in Alla, please --

MS. KACHAN: Any objection you want --

MS. BLUMENFELD: Excuse me.

Can you swear Alla in, please?

MS. KACHAN: No.

Actually, I'm going to then request that you serve me with notice. How about --

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MS. BLUMENFELD: Why don't we adjourn this then?

MS. KACHAN: Adjourn it away. Tell your client how you're going to justify your fees.

Do whatever the heck you want --

MS. BLUMENFELD: That is none of your business as far as my client's fees.

MS. KACHAN: Rachel, Rachel.

MS. BLUMENFELD: Yes.

MS. KACHAN: You're getting into what's none of your business. I'm going to get into yours.

So I'm going to tell you one more time, we said Zero and it's Zero, and the agreement was Zero.

I did not take any money from him for Chapter 7. I did take money from him for Chapter 11.

THE WITNESS: Yes, I confirm it.

MS. BLUMENFELD: So we said

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-- so this is both of your
testimonies; is that correct?

MS. KACHAN: Well, actually,
I represented this is my statement
on here that says Zero and I stand
by my statement.

You have a problem --

MS. BLUMENFELD: I have a
lot of problems with your attitude,
with your nodding and with your
shaking your head --

MS. KACHAN: Go ahead.

Do whatever you need to.

MS. BLUMENFELD: -- on the
record to him and with your
prompting your client.

MS. KACHAN: Whatever.

And I have a problem, I have
a problem with what you're doing
with testimony.

You're trying to mislead,
trying to confuse the questions,
not specifying the questions. I
have lots of problems and issues

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with that, too. And if you have standing for the things that you're raising, why don't you do what you need to do and I'll --

MS. BLUMENFELD: Alla, there's something called saying "objection" if you have an objection to the form of a question.

MS. KACHAN: Okay.

MS. BLUMENFELD: We have been sitting for over an hour and you have not raised one objection to the form of the question.

Instead, you have taken it upon yourself to rephrase the question --

MS. KACHAN: Why don't you --

MS. BLUMENFELD: -- and to interrupt him anytime he goes on for more than a sentence.

MS. KACHAN: It speaks to your ability to phrase the question correctly.

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MS. BLUMENFELD: So maybe
I'm not a good lawyer. Maybe
you're a better lawyer than I am.

MS. KACHAN: Take up the
issue with whoever you need to take
up the issue.

MS. BLUMENFELD: I guess
you're a better lawyer.

MS. KACHAN: That's what
we're debating today, sure. I'll
agree with you if you need it.

Q. Is there anybody that you owe money
to that is not listed on this paperwork as
far as -- I'm asking as far as your Chapter 7
case.

Is there anyone --

MS. KACHAN: Are there any
other creditors that are not here?

Q. And please stop looking at your
lawyer to ask her. This is your testimony.

A. Let me explain to the record why I
am looking to my lawyer.

Q. Please, please.

A. Because she is much more familiar

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with the structure of this piece of paper than myself. The only reason which I'm looking at my lawyer to ask her to open the needed page.

Am I clear?

Q. I understand where you're coming from, but also it is your obligation as the debtor in the case to make sure that everything is listed. We as lawyers help to prepare the paperwork and we can advise you as far as things are listed.

But I'm just asking if, to the best of your knowledge, everybody that you think that you owe money to is listed?

A. That is what I would like to look at.

Q. Take your time and look at it.

A. (Witness peruses.)

Yes.

Q. Yes what?

A. Would you please repeat your question?

Q. Are all your creditors listed on the paperwork?

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A. Yes, all my creditors are listed on the paperwork.

Q. Do you owe any taxes?

A. Taxes? What do you mean.

Q. Do you owe the IRS or New York State any money?

A. I did not get your question.

Q. Do you owe -- when you filed this bankruptcy paperwork, did you owe the IRS, the Internal Revenue Service, or New York State any money?

A. No.

You mean do I need to pay to IRS or New York State and I did not pay?

Q. Yes, that is the question.

A. No.

MS. BLUMENFELD: Mark this, please.

(Proof of Claim was marked as Exhibit 4, for identification, as of this date.)

Q. I am putting into Exhibit 4, I believe this is -- this is a Proof of Claim

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from the Internal Revenue Service and this was filed in your prior Chapter 11 case. And it shows on the second page, number 7, that you owe personal taxes for \$10,000.

A. It's my personal.

Q. Yes.

A. I did not know anything about.

Q. So you're not aware that you owed taxes --

A. No.

Q. Just so you know, you may want to amend your paperwork because that is not listed as an obligation in your current bankruptcy case.

MR. NISSELSON: Can I ask a question while we're on this?

MS. BLUMENFELD: Yes.

MR. NISSELSON: If you turn to the last page of that exhibit, sir, you see it specifies where that liability may have derived from.

Did you file a tax return for 2016?

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THE WITNESS: Yes, I filed
it.

MR. NISSELSON: You filed it
late maybe?

THE WITNESS: No, I filed it
with the extension.

MR. NISSELSON: With the
extension? So you filed it in
October?

THE WITNESS: Yes.

MR. NISSELSON: That's
probably --

MS. KACHAN: That's why they
have the claim.

MR. NISSELSON: They filed a
claim as an estimated amount
because when they filed the claim
you had not filed your return.

THE WITNESS: Right.

MR. NISSELSON: So you filed
your return in October?

THE WITNESS: Yes.

MR. NISSELSON: You have no
liability?

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THE WITNESS: Yes, that's
why --

MR. NISSELSON: And you
showed no liability?

THE WITNESS: Yes.

That's --

MR. NISSELSON: So
therefore --

Q. You don't owe money.

MR. NISSELSON: -- when you
filed Chapter 7 you did not owe any
money to the IRS, correct?

THE WITNESS: No. That's
why I was so wondered because --

MR. NISSELSON: I was trying
to straighten it out.

BY MS. BLUMENFELD:

Q. Again, your lawyer keeps saying I'm
trying to trick you. I'm just trying to find
out information here.

So my questions are just to try to
find out some information because things are
confusing to me in looking at your old case
and your new case. So that's what I'm just

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trying to figure out are answers to questions.

There are a lot of discrepancies, so I'm just trying to figure it out?

A. When I answer you, do I owe some money to IRS --

Q. But you answered it. I understand now.

So the answer is that in the prior case the IRS thought that you had owed money because you hadn't filed correctly and I guess they resolved it since this case or you thought that you didn't owe it --

MS. KACHAN: Not that he didn't file correctly. He didn't file yet.

A. It is not that I did not file it correctly. It is not correct definition. I file it based on the United States government for rules and laws. I have official extension until October and I pay everything, whatever -- this case is closed. I did not incorrectly pay my taxes. I paid correctly.

Q. That's fine. If you can look

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please on Schedule F, E and F --

MR. NISSELSO: Which case?

MS. BLUMENFELD: This is on
the current case.

Q. Do you see the first one ACM MCC?

A. Yes.

Q. For \$162,161.99?

A. Yes.

Q. Can you please explain what that
money is owed for?

A. For business. All this money which
we get from this money when it was deposited
into the account.

Q. So then I'm going to ask you why
this amount was not listed on your prior
Chapter 11 case?

A. I think this maybe it was listed
under different name.

Q. That's what I'm trying to figure
out and ask because I did not see it in the
prior case.

A. Yes, Bizfi.

Q. This is Biz?

MS. KACHAN: Bizfi 4.2,

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Page --

Q. So I'm going to ask you to turn to 4.3 because Bizfi is listed at 387,000. There are two separate accounts.

So in the prior case, you only have Bizfi listed once?

A. Twice.

MS. KACHAN: Twice.

Q. Let me take a look and see. I'm looking at the prior case. You just named it something different?

MS. KACHAN: Bizfi.

Q. Okay, so that makes sense. 4.3 -- if you look at 4.1 for 162,000 and we look at your prior case Bizfi for 163,000 it's about the same amount. But if you look at Bizfi in number 4.3 it says 387,000 and change, but 4.3 on 2017 filing says \$223,000.

So can you explain the difference of \$163,000 between the two filings? Did you incur more debt from Bizfi since the last filing?

A. No. From last filing, no, we did

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not have any borrow. No, we did not have.

Q. You didn't borrow money.

You think it was just an error
in --

A. Yes.

Q. In the case, prior case, if you
want to look at the 2017 Chapter 11, you have
a debt there for New York Associates for
\$36,000?

A. Okay.

Q. And you don't have another current
case; why is that?

A. Because it was paid?

Q. What was the money owed for?

A. For the business. Each and every
-- let me, okay -- each and every money which
we borrow we got a check to the company, not
personal check. And since we have for the
company nobody else except -- no action was
allowed unless it will be deposited to the
company.

Q. So who paid the New York
Associates? You said it was paid. Who paid
it?

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A. I don't remember.

Q. Did you pay it personally?

A. I don't remember.

Q. Is it possibly that you paid it personally?

A. I don't remember.

Q. Are you able to provide that information to me?

A. I will try.

Hold on.

I think for New York Associates it was -- they actually withdraw money from my account by marshal.

Q. So marshal garnished your account?

A. Yes.

Q. Do you remember when?

A. I don't.

Q. The last bankruptcy that was filed was dismissed. That bankruptcy was dismissed.

Do you remember when?

A. No.

Q. I'm going to double-check it, but I think it was about January.

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A. January of which year.

Q. January of 20 -- I'm going to double-check it right now.

A. So this money is for New York Associates --

Q. Between the filing of -- between the dismissal of your Chapter 11 case and the filing of your Chapter 7 case, they've garnished your -- they froze your bank account and took the money out?

A. First, there are a few parts of your questions.

Q. It's just one question. It's just one question.

A. But it has two parts. I don't remember. Yes, they withdraw -- I don't know which is correct word.

MS. KACHAN: Garnish.

A. Garnish.

Yes, they garnish money from my account. They did not frozen my account. One day I open my account and I saw that the marshal took some money.

Q. So the marshal put a hold on your

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back account?

A. Listen. I don't know what you mean when you say hold. I just have seen that some big amount of money was withdrawn by marshal. That's it.

Q. Do you know how long before the filing this money was withdrawn? If it was within three months before the filing?

A. I don't remember.

Q. On the prior case, Chapter 11 case, you will see Sun Light Realty. It's \$153,000. That's a lease.

What is that a lease for?

A. For the warehouse.

Q. Warehouses.

Was that paid off?

A. Actually, those we disagreed with this amount completely because they increased this amount many times. But as far as I remember, partially, it was paid by the company, yes.

Q. It is not listed at all in your bankruptcy paperwork -- so on the current bankruptcy paperwork, on the Chapter 7

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bankruptcy paperwork.

So it seems as though you do not owe the money right now?

A. Okay.

Q. So I'm asking you to your understanding do you believe you still owe them some funds?

A. Listen, we pay less than they requested because they include some huge lawyer's fee, they include some few months they actually already listed out to the other company. We did not agree with this amount.

MS. KACHAN: I'm sorry, Rachel, it's listed in Chapter 7 Bankruptcy 4.1 page 506.

MS. BLUMENFELD: 4.1 is ACM MCC which he said is the same as Bizfi Funding.

MS. KACHAN: In the exact same amount.

MS. BLUMENFELD: So I withdraw that question.

Q. Who is Mark Kipnis?

A. My partner in food distribution

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business.

Q. Which businesses is he a partner with you in?

A. He has shares in all four business for distributions, business-related companies; Euro Import, Inc., Euro Import Distribution, Euro Star LLC and Euro Import Bel.

Q. Why is he listed in your Chapter 11 case as a co-debtor and he is not listed in your current case as a co-debtor? If you look to Schedule H.

A. I think it's mistake. All those debts which is include the business he is also supposed to be listed.

Q. It seems as though according to your list in your prior case that has an association with Bizfi Fundings?

A. Which association.

Q. I don't know. I'm asking you. He is listed on your prior case bankruptcy --

A. He supposed to be listed in each and every amount which we borrow for the business.

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MS. KACHAN: That's not what
she just asked you.

Q. My question is does Mark Kipnis, to
the best of your knowledge, have anything to
do with the Bizfi Fundings?

A. When you say have something to do,
what do you mean? He's own the company.

Q. Yes.

A. He's own the Bizfi.

Q. Yes.

A. No, he doesn't at all.

Q. That's what I wanted to know
because it was unclear here as to whether or
not he had any ownership based on his being
listed here as a co-debtor or not. So I was
not sure of that.

And he lives in the same building
as you?

A. Yes, he does.

Q. If we can turn to Schedule I,
please.

A. (Witness complies.)

Q. You have an amount there on number
one for \$1,303.31.

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A. Uh-huh (affirmative).

Q. Is that for your mortgage or for the home equity --

A. Yes.

Q. That's for the mortgage, okay.

And then you have an amount on number 5 for \$3,991.05?

A. Okay.

Q. What is that for?

A. I think now it's bigger. This amount is bigger.

Q. You have on number 4C an expense of \$100 for home maintenance and repair?

A. Uh-huh (affirmative).

Q. What kind of repairs do you do a monthly basis in your home?

A. In my home?

Q. Yes.

A. A lot of them.

Q. Give me an example.

A. In my home some water leaks from the terrace, some tracks on the wall, some tracks on the doors, et cetera, et cetera.

Q. Is it more cosmetic or is it --

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A. No, it is not all cosmetic, but sometimes it's like -- when I am talking about water leak, it's not cosmetic.

Q. Does your wife pay for any of these home maintenance fees?

A. No.

Q. Does your wife pay for the mortgage?

A. We split our expenses and every month it depends on what we need.

Q. So the \$1,303.31, is that your obligation or is that the joint obligation?

A. There is another two parts of the question. First is it obligation or second who is paying, correct.

Q. No. Is it a joint mortgage payment?

A. It's our obligation.

Q. Is the total amount of your monthly bill \$1,303.31?

A. (No verbal response.)

Q. You're nodding, but does that mean yes?

A. Who is paying or --

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Q. What is your total mortgage payment every month?

A. \$1,303.31.

Q. Who pays for that?

A. It depends. Every month it depends on our agreement because we share our -- we split, not share, not share. We split our expenses. And each and every month we briefly discuss who is paying what. Because right now the credit line is bigger and we all the time split our expenses.

Q. What does it depend on? Who pays it?

A. It depends on our agreement each and every month.

Q. What is your agreement based on?

A. It's our internal family situation. I would like to not to answer this question.

Q. You don't have a choice. You have to answer the question.

MS. KACHAN: I don't think that you understand the question and I don't think she said it clearly.

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She's just asking you how
you determine -- you're saying
split.

Are you paying evenly or
does one person pays one thing and
another person pays another thing?
Is the amount equal or not.

MS. BLUMENFELD: That's not
what I'm asking.

Q. When I asked what the mortgage is
you said that the total amount of the
mortgage payment is about \$1,303.

A. And I also said --

Q. You also said that it depends on
who pays it and it's an agreement that you
and your wife have every month that you said
who is going to pay the amount, if you're
going to split it or who is going to pay for
the obligation.

A. One month she pays, one month I
pay.

Q. So the answer is -- am I correct in
asking -- that the answer is you pay for the
mortgage every other month?

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A. No. I might pay two months consecutively and then she will pay two months consecutively.

Q. So whatever the agreement is -- my question is are you splitting it so that --

A. Yes, we are splitting our mortgage payment as well as we are splitting our credit line.

Q. So she pays for half the credit line as well?

A. I did not say so. I said --

Q. I'm asking.

A. I said each and every month we have separate agreement.

Q. So is it correct that there are some months that you pay the \$3,991 and some months she pays the \$3,991?

A. Yes, correct.

Q. How long has this agreement been -- have you had this agreement with your wife?

A. It's not official agreement.

Q. I understand. I understand.

Even if it's unofficial, how long have you had this agreement?

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A. I think from 2016.

Q. Does that also -- is that also true for the home maintenance? Do you split that amount?

A. No. This is small amount. Sometimes it's \$96, sometimes it's \$105. No, I don't split it.

Q. Is insurance -- insurance is included in the mortgage payment?

A. Yes.

Q. Do you have homeowners insurance?

A. Yes.

Q. What does that policy say you are insuring aside from the regular home? Is there anything else, any riders or anything else for jewelry or anything else --

A. No, no, no, no. No jewelry and no furniture and no nothing, just regular homeowner agreement.

Q. If you could please look at your prior bankruptcy filing, the Chapter 11 case, if you could look at your expenses there? You have a number 19, you have family support for \$2,000.

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Can you please tell me who you are supporting?

A. My grandkids, my kids.

Q. When did that support stop?

A. Listen, I am supporting -- when it stopped.

Q. Yes. Are you still supporting them?

A. I don't remember when I stopped supporting them.

Q. Do you still give them support?

A. If you mean I give \$20 to my grandkids for ice cream, yes, I still support them.

Q. I don't consider that support, if you give \$20 for your grandkids. Your grandkids come to visit, I would expect that you would buy them some ice cream. That's not my question.

A. Exactly when it stopped, I am not able to reply.

Q. I understand. That's fine.

Can you please take a minute on your current Chapter 7 filing and look at

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your expenses on the second page and can you please confirm that all of those expenses are still accurate?

A. (Witness peruses.)

Yes, I think yes. Maybe vehicle expenses, insurance might be a little bit more. Maybe it's 185. I don't remember.

Q. Also, if you -- maybe it's something that I missed, but I also see on your prior filing you had a Chase account for 46,000, if we could look back at that. I do not see that that was listed on this filing. I'm going to double-check that.

A. Because it was closed.

Q. But it doesn't mean that you don't owe the obligation.

Do you not owe that obligation anymore to Chase for 46,000? It's account ending in 6907. Actually, I do see it here but you have a different amount. So the amount in the last time was \$46,957 --

A. Hold on.

Is it personal?

Q. It's a lease. It's a lease. The

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1
2 lease now on Schedule F, on the current
3 filing under 4.6, it's listed \$35,267.

4 A. (Witness peruses.)

5 MS. KACHAN: You have to
6 specify.

7 MS. BLUMENFELD: Yes, no
8 problem.

9 Q. In the prior filing --

10 MS. KACHAN: You're talking
11 about Schedule F debt or are
12 talking about --

13 MS. BLUMENFELD: Schedule F.
14 It's on Schedule F, 4.6 in the
15 current case, \$35,267. And it's
16 4.4 in the prior case.

17 A. This is a lease for the car which
18 was used for business by Mark Kipnis. I have
19 my own car. And I think it was from 2017 to
20 2019. It was decreased.

21 Q. I'm going to turn back to another
22 question afterwards, but right now I'm going
23 to turn it over to Allen to ask some
24 questions.

25 Okay?

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A. Yes.

MS. BLUMENFELD: Thank you
for your time.

EXAMINATION BY

MR. NISSELSOON:

Q. I just have some questions about
the businesses because they all have similar
names and I'm confused a little bit on what
did what.

I know you answered it, but --

A. I'm gladly --

Q. -- who ran the business?

A. My partner.

Q. Mr. Kipnis?

A. Mr. Kipnis.

Q. So Mr. Kipnis ran the business?

A. Yes, I was the passive partner. If
you look at each and every statement which I
provided to you there is no one check which
was signed by me.

Q. He signed all the checks?

A. Yes.

Q. How regularly did you discuss the
businesses with Mr. Kipnis?

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A. Once a week, probably.

Q. Did he provide to you financial statements?

A. I did not ask for it.

Q. At the end of the year, did you get any financial statements from any of the businesses?

A. Actually, no.

Q. Let me see if I understand what you testified before --

A. About four companies.

Q. About the companies, generally.

So you want to get out the list?

A. First Euro Import, Inc. It was the first entity which was created and filed. And this company mostly buy the food distribution which we deal with. We are buying food from former Soviet Union and bringing here.

So the Euro Import, Inc. most likely was buying foods from abroad, having some exclusive distributions agreement and paying for those goods. Then Euro Import Distributions --

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Q. Before we get to that.

So Inc. Exclusive distribution agreements, were those with retail stores? How were they distributed?

A. I am talking about -- Euro Import, Inc. Was have exclusive distribution rights for some food producer.

Q. Once the food was imported, what did Inc. Do with it?

A. Moved to the Euro Import Distributions company.

Q. So it transferred that food that was imported to another company?

A. Yes.

Listen, all four offices, all four offices -- one warehouse and one office.

Officially, we split it for taxes purpose as we were suggested. Euro Import brought some food and stuck it in the warehouse. And Euro Import Distributions distributed to the store in New York.

Q. Is it correct to say that these four companies -- it's Euro Star, Euro Import Distributions, Euro Import, Inc. and

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Euro Import Bel were run really as one company?

A. Yes, that's correct.

Q. And if I recall your testimony previously at least with -- some of the companies were set up separately because your sources in either the Ukraine or the former USSR or Russia required you to set up a separate company?

A. Yes.

Q. Did these companies, to your knowledge, have separate books or they all kept one set of books?

A. Each and every company has its own account in the bank. But about books, I don't know.

Q. Who would know?

A. I don't think so that we have separate books for list of buying and list of selling. We did not have this such entity. We did not.

Q. Mr. Kipnis would know the answer to that question if I asked him?

A. Yes.

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Q. Mr. Kipnis filed his own bankruptcy case, if you're aware?

MS. KACHAN: Chapter 11.

A. Chapter 11.

MR. NISSELSOON: Are you handling that Alla?

MS. KACHAN: Yes.

Q. Is Mr. Kipnis still employed to your knowledge?

A. Employed to where?

Q. Anywhere.

A. I don't know.

Q. You don't know?

A. Yes, I don't know.

Q. Whose decision was it to invest in Euro Line?

A. He propose it to me and I --

Q. Mr. Kipnis?

A. Mr. Kipnis was propose it because -- and he convinced me to do this because we think we can increase our sales.

Q. And why was that?

A. Because Euro Line -- I mean Net Cost Market, street name, has around nine

1 Vladimir Binkevich 105

2 huge supermarkets in Brooklyn and
3 Pennsylvania --

4 MS. KACHAN: Staten Island.

5 A. Yes, and in Staten Island also.

6 Q. You said that, I think you said
7 that Euro Line, excuse me, Euro Star is about
8 a 30 percent investor in Euro Line?

9 A. Correct.

10 Q. Do you know -- when the initial
11 investment of Euro Star was made into Euro
12 Line, what was the value of that investment?

13 A. I do not remember. We actually
14 gave inventory to them.

15 MS. KACHAN: Inventory.

16 A. Inventory.

17 Q. Did you give any cash?

18 A. No.

19 Q. So the 30 percent is evaluation
20 agreed to by Euro Star and Euro Line equal to
21 whatever inventory there was --

22 A. Not all inventory.

23 Q. -- and whatever the value was of
24 Euro Line at the time?

25 A. Yes. We also transferred to them,

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1 since we have few distribution -- I mean how
2 to say it. Hold on a second. We have
3 exclusive right to sell some like, for Russia
4 -- we have exclusive right to sell product
5 from three or four companies.
6

7 For Russia we had distributor
8 agreement to provide mineral water, root
9 beer, some preserves, et cetera. It's very
10 important because it's very valuable entity
11 to have this, this kind of -- because we have
12 distribution, exclusive distribution
13 agreement for the product which is popular in
14 Russian market which we usually recognize.

15 Q. So let me see if I can put it in my
16 words and you tell me if it's correct or not.

17 A. Yes.

18 Q. So in addition to the inventory
19 that was transferred to Euro Line there were
20 exclusive distribution agreements that were
21 in the name of Euro Star that were
22 transferred to Euro Line too?

23 A. Not only to Euro Star but to all --
24 in most cases, we have some -- and for Euro
25 Import. Officially, yes. Let's say it this

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way. Yes, you understand it correctly. All exclusive distribution agreement was transferred to Euro Line and this is very, very, valuable entity.

Q. Now, Euro Line is still operating, correct?

A. Correct.

Q. Is it a profitable company?

A. Listen, when I based on your agreement ask them for the documents, they rejected it and I talked with my lawyer about it and then she said --

MS. KACHAN: Based on his request.

MR. NISSELSOON: I am going to speak to the lawyers, so we'll see.

Q. So you do not have any documents which indicate the value of Euro Line today?

A. No.

Q. If I can just try to summarize everything, whatever Euro Line is worth, your interest, your personal interest in Euro Line would be 35 percent of the 30 percent?

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MS. KACHAN: No.

A. No. First of all it's -- for Euro Star I asked to make amendment. I think I have 27 percent of 30 percent.

Q. Let's say approximately 30 percent?

A. Yes, yes.

Q. If you add them all up. So you would have 30 percent of the 30 percent?

A. I have 27 percent of 30 percent, one-third.

Q. In one of the companies that was under the Euro, except for Euro Line, you had 35 percent.

So for three of them you had 35 percent and Euro Star you had 27 percent?

A. Correct.

Q. So if you averaged them all up it's around 30 percent?

A. Okay, fine. Approximately, yes.

Q. So it's about -- unless you're going to tell me each one is worth X amount, which I don't think you have been able to tell me that?

A. No, no, no.

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1
2 Q. So it's 30 percent of 30 percent,
3 rough-rough.

4 A. Rough.

5 Q. Did you formally make any request
6 for financial information of Euro Line?

7 A. Since I received e-mail from your
8 office, I forwarded it to financial director,
9 I got a reply and I forwarded those replies
10 to my lawyer.

11 MR. NISSELSO: Can you
12 forward those to me, Ms. Kachan?

13 MS. KACHAN: Yes.

14 Q. If you had to estimate, I don't
15 want to say guess, that your 30,
16 approximately 30 percent of the Euro
17 companies has some value; is that correct?
18 And Euro Line? It's worth something?

19 A. It has some value, but there is no
20 those four companies anymore. The only
21 existing right now, Euro Line. It has, let's
22 say -- I have some value in Euro Line through
23 the Euro Star, through the --

24 Q. Do you have any paperwork which
25 indicates the Euro companies' interest in

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Euro Line? Were there stock certificates issued?

A. I think we do have, but I am not sure that I have the -- actually I was going to ask Euro Line to provide this document, but they did not going into, but probably they would not reject your question.

Q. To your knowledge, do you have those documents?

A. Let me say very carefully, I was ready for this question, I tried to find it and I was not able.

Q. Would Mr. Kipnis have it?

A. For some reason we -- I will ask him.

MR. NISSELSON: You represent him, Alla, so maybe you can ask him as well.

MS. KACHAN: Yes.

MR. NISSELSON: Because as you know I am --

MS. KACHAN: You're looking for the certificates for whatever --

MR. NISSELSON: I want to

1 Vladimir Binkevich 111

2 try to figure out with counsel for
3 Euro Line, one, does it have a
4 positive value and two, what
5 Mr. Binkevich's interest is worth.

6 A. I think 2017 it was Zero because --
7 for 2017 I got from them K-1.

8 Q. You did get a K-1?

9 A. One year, yes.

10 Q. Do you still have that?

11 A. I hope so, yes.

12 Q. Can you see if you can find it?

13 A. For this one I probably will find.

14 Q. 2018 you did not get?

15 A. No.

16 Q. Did Mr. Kipnis have an active role
17 in Euro Line?

18 A. Yes, he had.

19 Q. Was he the Chief Executive Officer
20 of Euro Line?

21 A. Yes.

22 Q. For how long?

23 A. I think for more than one year.

24 Q. And he's no longer the Chief
25 Executive Officer?

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A. As far as I know he is not.

Q. Do you know when that ended?

A. Listen, it was the end of the year.
I think he was fired in December 2018 or
December 2017 because this year --

Q. So he was fired either in 2017 at
the end of the year or 2018 sometimes?

A. Yes.

Q. And, to your knowledge, he is no
longer employed by Euro Line?

A. Correct.

Q. We will find out some more
information tomorrow I hope.

MR. NISSELSON: I don't have
any more questions.

MS. BLUMENFELD: Just
follow-up question.

FURTHER EXAMINATION BY

MS. BLUMENFELD:

Q. I had asked before if you agreed
that you personally guaranteed that you owed
Victor Gubenko money and you said yes?

A. Yes.

Q. I just wanted to confirm also that

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even though you borrowed for the business,
that you personally owe money to Edward
Gorbakovsky and Gary Gorbakovsky?

A. No.

Q. Why are you saying no?

A. Because it was explicit request
from Victor Gubenko that he wants me to be a
personal guarantee, guarantor.

Q. Are you saying that you do not know
owe personally to Edward Gorbakovsky and Gary
Gorbakovsky?

A. No. Personally not. Promissory
note I think is different.

MS. BLUMENFELD: Let's take
a few.

(Whereupon, a recess was
taken at this time.)

MS. BLUMENFELD: Mark this,
please.

(Promissory Note was marked
as Exhibit 5, for
identification, as of this
date.)

Q. Take a look there.

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A. (Witness peruses.)

Q. Who signed it?

A. I, as the representative, for Euro Import, Inc.

Q. Does the Promissory Note say on the signature line anything about -- and you said which one, Euro Import, Inc. -- does it saying anything about, in the signature block, anything about Euro Import, Inc.?

A. In the signature, no, but in the text, yes.

Q. So I'm just asking the signature block does not say anything about Euro Import, Inc.; is that correct?

A. That is correct. But the body of the agreement has Euro Import, Inc.

Q. I do see that and I do know that. I don't think that this Promissory Note was actually written very well. But I just wanted to confirm that and just put that into evidence.

Just one other question: Do you usually get tax refunds? Do you receive tax refunds from the government?

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A. Last year I did.

Q. How much did you get last year?

A. This, I don't remember. I have to look. But usually I don't.

Listen, for how long do you want me to provide this information?

Q. The last year.

A. Last year is not ready because I did not get anything for 2018. Because I had extension, I did not get anything.

Q. Do you remember how much you got for 2018?

A. I just said, since I have extension, I did not get anything.

Q. But in prior years, do you remember about how much you received in tax refunds?

A. I don't remember, but this document was in the list of requirements from trustee. And 2017 tax return was sent to trustee based on his request.

MS. BLUMENFELD: Mark this, please.

(Operating Report was marked as Exhibit 6, for

Vladimir Binkevich

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identification, as of this
date.)

Q. This is your last filed operating
report.

A. Operating report.

Q. Yes, in your Chapter 11 case.

A. Okay.

Q. If you look at it on the third
page, top, second line, it says tax refund.

How much does it say that you
received for the tax refund?

A. 27,000.

Q. Is that correct?

A. As I said, I don't remember. If
you want exactly, I have to pick up my income
tax or you can see it in my tax return which
trustee will send to you.

Q. I'm assuming that because you filed
this with the court, that this is correct,
that you received this?

A. I assume also.

Q. Because you were working at the
same job, do you think that you will be
receiving the same tax refund this year?

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MS. KACHAN: Objection.

MS. BLUMENFELD: I'm asking
him his opinion --

A. I don't know.

Q. Did you take the same deductions
last year as you did for this year?

A. Listen, I am not very familiar with
all this deduction, et cetera, et cetera. I
forward down to my accountant and I cannot
answer this question.

Q. Has anything changed in your income
from the receipt of this tax refund for that
year to the current year?

A. Salary was changed.

Q. Salary was increased or decreased?

A. First of all, listen, in 2018 -- I
mean -- oh my God -- I'm not ready to this
question and when I will receive I will
inform you about it how much I receive for
2018. For 2017, you can get information.

Q. Whatever you provide to the
trustee, you are in agreement that he can
provide a copy to me if I ask for it?

A. Yes, we already discussed it.

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Q. I just want to make sure that for any future documents that it's the same and that he'll share same with me; is that correct?

A. Yes.

MS. BLUMENFELD: Thank you so much.

That's all I have.

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(Whereupon, the examination of VLADIMIR BINKEVICH was concluded at 1:04 p.m.)

VLADIMIR BINKEVICH

Subscribed and sworn to
before me this _____ day
of _____, 2019.

NOTARY PUBLIC